

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Sep 10, 2025**

SEAN F. MCAVOY, CLERK

**ECF No. 68****AMENDED Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Cruz James Spencer

Case Number: 0980 4:20CR06044-MKD-1

Last Known Address of Offender: [REDACTED] Pasco, Washington 99301

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: November 19, 2021

Original Offense: Felon in Possession of Firearm, 18 U.S.C. §§ 922 (g) (1), and 924 (a)(2)

Original Sentence: Prison - 18 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael Davis Murphy

Date Supervision Commenced: December 7, 2021

Defense Attorney: Craig Webster

Date Supervision Expires: Tolling

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**PETITIONING THE COURT**

**AMENDED PETITION:** The original incorporated petition was filed with the Court on June 20, 2025, which resulted in the incorporation of the violations contained in the petition in future proceedings with the violation(s) previously reported to the Court on March 2, 2022. The purpose of this petition is to reflect updated information and guideline provisions.

On December 8, 2021, all the conditions of supervised release were reviewed with Mr. Spencer, which he verbalized a full understanding of all of his conditions of supervised release. He signed a copy of his conditions and he was given a signed copy of his conditions of supervised release.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Mandatory Condition # 1:** You must not commit another federal, state or local crime.

**Supporting Evidence:** Cruz James Spencer is considered to be in violation of his term of supervised release by committing the offense of count 1: possession of stolen vehicle; count 2: third degree possession of stolen property; count 3: second degree vehicle prowling; count 4: second degree theft; count 5: second degree identity theft; count 6: theft of a motor vehicle; and count 7: unlawful possession of a firearm in the first degree, from on or between July 3, to 13, 2022.

According to information contained in the Kennewick Police Department case report numbers 2022-0049874 and 2022-0004985, Mr. Spencer and Tanner C. Mathews, a convicted felon, committed numerous crimes, and both were active participants. Video surveillance captured both Mr. Mathews and Mr. Spencer on a crime spree of vehicle prowls and auto thefts.

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On July 25, 2024, Mr. Spencer entered a guilty plea, and was sentenced in Benton County Superior Court for cause number 22-1-00616-03, to a prison-based drug offender sentencing alternative (DOSa) sentence and ordered to serve an imprisonment term of 25 months for counts 1, 5, and 6; 364 days for counts 2 and 3; 12.75 months for count 4; and 50.75 months for count 7. A community custody supervision term with the Washington State Department of Corrections of 25 months for counts 1, 5, and 6; 12.75 months for count 4; and 50.75 months for count 7.

According to information contained in the Kennewick Police Department case report number 22-049835, Mr. Spencer was arrested by Kennewick Police Department officers with the assistance of Richland Police Department officers on July 13, 2022, at 1018 Sanford, Richland, Washington.

During the search of this residence, the following items were located in a ceiling vent inside the defendant's bedroom, which was searched as the vent cover appeared to have been removed from the ceiling: a Ruger P89DC 9 MM handgun with a live bullet in the chamber and a loaded magazine; a loaded .22 caliber magazine with numerous bullets; and 1 box of 9MM Luger bullets box with numerous bullets; a plastic zip lock bag with a white crystal substance; a small baggie of white crystal substance. The following items were also located in the defendant's bedroom: multiple scales with residue; two holsters; a black and silver 9 MM magazine with live rounds inside a side pocket of a backpack; and a stolen license plate. The white crystal substance was later confirmed to be methamphetamine. It was also later determined the total weight of the Ziploc bag containing methamphetamine was 3.23 ounces, which is considered to be significantly more than that of personal use.

It should be noted, the handgun was directly above a large bag containing methamphetamine. These items also did not have dust or debris on them, indicating these items had recently been placed inside the vent. The firearm had not been reported stolen. However, the registered owner had not noticed the firearm was missing, and their residence was in an area known to local law enforcement where the defendant has participated in vehicle prowling.

Also, during the containment of the residence, Mr. Spencer and Samantha Noethe appeared to have exited the residence in an attempt to flee on foot. Mr. Spencer ran out the back door into the back yard, but then fled back inside the residence. He ultimately exited the residence and was arrested. Ms. Noethe was also arrested on an active felony warrant.

7 **Mandatory Condition # 1:** You must not commit another federal, state or local crime.

**Supporting Evidence:** Cruz James Spencer is considered to be in violation of his term of supervised release by committing the offense of narcotic drugs, controlled substances possession prisoner local/county corrections, on or about March 16, 2024.

According to the Benton County Sheriff's Office case report for case number 2024-00006749: On March 16, 2024, a Benton County sheriff's deputy responded to a narcotics complaint in which narcotics were being introduced into the Benton County Jail, located at 7122 West Okanogan Place, Suite B, Kennewick, Washington. Upon contact with Benton County Jail correctional officers, the responding deputy learned jail staff had completed a search of the defendant's living quarters and two envelopes addressed to the defendant at the Benton County Jail were labeled legal mail, in order to enter the correctional facility without inspection. One of the sender's addresses used was U.S. Attorney's Office, East District of Washington, 927 West Second Avenue, Spokane, Washington, 99201. Inside this envelope

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was a copy of a document of five pages named "Objections to PSR, Request for downward Departure and Sentencing memorandum," with a filing date on the document of September 13, 2021, demonstrating this was old paperwork. On page 3, a white post-it note was found and underneath it was a portion that was shiny, appearing as if an unknown substance had been poured onto the paper. This unknown substance was confirmed to be methamphetamine. The second envelope had a return name and address of Meeae Henry, PO Box 6304, Kennewick, Washington, 99336, and contained a paper book, which also appeared to have been used to introduce substances into the facility.

The defendant was then strip-searched on suspicions of possessing contraband on his person. The strip-search revealed the defendant to be in possession of about 48 suboxone pills and a Ziplock plastic bag containing a white powdery substance, which was later confirmed to be methamphetamine. Also found during these searches were about 36 unidentified orange pills with no markings with a black plastic wrap.

On July 25, 2024, Mr. Spencer was sentenced for Benton County Superior Court case number 24-1-00300-03, by a plea of guilty and was ordered to serve an imprisonment term of 12 months, with no term of supervision.

The U.S. Probation Office respectfully recommends the Court accept this amended petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 3, 2025

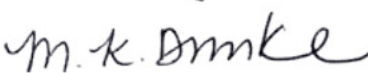

s/Elizabeth Lee

Elizabeth Lee

U.S. Probation Officer

#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case. (Defendant previously appeared before Magistrate Judge on original petition)
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

September 10, 2025

Date